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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,221	03/16/2001	Edward G. Tiedemann JR.	PA579C1	3117

23696 7590 07/11/2006

QUALCOMM INCORPORATED
5775 MOREHOUSE DR.
SAN DIEGO, CA 92121

EXAMINER

SAM, PHIRIN

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/811,221

Applicant(s)

TIEDEMANN, EDWARD G.

Examiner

Phirin Sam

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

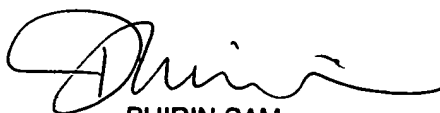
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



PHIRIN SAM
PRIMARY EXAMINER

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/07/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 22-27 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,519,233 (hereinafter referred as “Gutierrez”).

Gutierrez discloses the invention (**claim 22**) as claimed including a method for controlling transmission of signals from one or more mobile stations, the method comprising

- (a) transmitting a power control information packet formed from a plurality of power control bits from a base station to said one or more mobile stations (see Fig. 4, col. 11, lines 3-5);
- (b) mapping a position of each of the power control bits in the power control information packets to a selected access channel of a plurality of access channels and to a time offset within the selected access channel (see Figs. 3, 4, and 9, col. 10, lines 46-51, col. 11, lines 5-14, col. 12, lines 40-50, col. 14, lines 37-51).

Regarding claim 23, Gutierrez discloses a method for controlling transmission of signals from one or more mobile stations on a plurality of access channels, the method comprising:

- (a) receiving a power control information packet at a first mobile station of said one or more mobile stations (see Fig. 4, col. 10, lines 5-20);

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(b) mapping a position of each of the power control bits in the power control information packet to a selected access channel of said plurality of access channels and to a time offset within the selected access channel (see Figs. 3, 4, and 9, col. 10, lines 46-51, col. 11, lines 5-14, and col. 12, lines 40-50, col. 14, lines 37-51).

Regarding claim 24, Gutierrez discloses controlling transmission of a signal from the first mobile station in accordance with a value of the power control bits in the position mapped to the selected access channel and time offset used by the first mobile station (see Figs. 3 and 4, col. 10, lines 5-38).

Regarding claim 25, Gutierrez discloses an apparatus for controlling transmission of signals from one or more mobile, the apparatus comprising:

(a) a transmitter for transmitting a power control information packet formed from a plurality of power control bits from a base station to the one or more mobile stations (see Fig. 4, col. 11, lines 3-5);

(b) a controller for mapping a position of each of the power control bits in the power control information packet to a selected access channel of a plurality of access channels and to a time offset within the selected access channel (see Figs. 3, 4, and 9, col. 10, lines 46-51, col. 11, lines 5-14, col. 12, lines 40-50, col. 14, lines 37-51).

Regarding claim 26, Gutierrez discloses an apparatus for controlling transmission of signals from one or more mobile station on a plurality of access channel, the apparatus comprising:

(a) a receiver for receiving a power control information packet at a first mobile station of said one or more mobile stations (see Fig. 4, col. 10, lines 5-20);

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(b) a controller for mapping a position of each of the power control bits in the power control information packet to a selected access channel of the plurality of access channels and to a time offset within the selected access channel (see Figs. 3, 4, and 9, col. 10, lines 46-51, col. 11, lines 5-14, col. 12, lines 40-50, col. 14, lines 37-51).

Regarding claim 27, Gutierrez discloses a signal power controller for controlling transmission of a signal from the first mobile station in accordance with a value of the power control bits in the position mapped to the selected access channel and time offset used by the first mobile station (see Figs. 3 and 4, col. 10, lines 5-38).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) US Patent 6,845,246 (Steer) discloses location based power control for mobile communications systems.

(2) US Pub. 2004/0190471 (Bender et al) discloses method and apparatus for rapid assignment of a traffic channel in digital cellular communication systems.

(3) US Pub. 2003/0063583 (Padovani et al) discloses method and apparatus for high rate packet data transmission.

(4) US Patent 6,519,456 (Antonio et al) discloses softer handoff in a base station employing virtual channel elements.

(5) US Patent 6,308,080 (Burt et al) discloses power control in point-to-multipoint systems.

(6) US Patent 5,924,043 (Takano) discloses method and apparatus for controlling transmission power in a cellular mobile communication system.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phirin Sam whose telephone number is (571) 272-3082. The examiner can normally be reached on a compress schedule, from 8:00-5:30, first Wed off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272 - 3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully submitted,

Date: July 6, 2006

A handwritten signature in black ink, appearing to read 'Phirin Sam', written over a horizontal line.

**PHIRIN SAM
PRIMARY EXAMINER**